



**18 Timberline Drive
Farmington, CT 06032
(860) 674-1370 (phone)
(860) 674-1378 (fax)
(860) 305-9835 (cell)
www.advocacyforpatients.org
patient_advocate@sbcglobal.net**

Testimony of Jennifer C. Jaff, Esq. On Raised House Bill 6328

I wish to begin by thanking the Co-Chairs, Senator Harris and Representative Ritter, as well as the members of the Committee, and particularly Representative Taborsak for his leadership on this legislation.

I am Executive Director of Advocacy for Patients with Chronic Illness, Inc., a Connecticut-based non-profit organization, in support of Raised House Bill No. 6328, the Connecticut Restroom Access Act. By providing customers with illnesses that result in urgent need for a restroom with access to restrooms in retail establishments, the Restroom Access Act will provide a much needed service to many residents of Connecticut.

Not only do I myself have Crohn's disease, but Advocacy for Patients represents thousands of patients with inflammatory bowel disease – Crohn's disease and ulcerative colitis – as well as surgically created ostomies and irritable bowel syndrome. These conditions often result in fecal incontinence, leading to both unsanitary conditions and embarrassment if a patient is left without immediate access to a bathroom. We hear countless stories of these incidents occurring in retail establishments, which is why we understand how critical it is for Connecticut to join the other states that have passed similar legislation -- Illinois, Tennessee, Minnesota, Texas, Colorado -- as well as state that are considering such legislation now.

Although we support this Act unequivocally, our experience with similar legislation elsewhere provides us with insight into how Connecticut's proposal can be improved upon.

First, the Act will only be as effective as it is enforceable. One problem that we have witnessed with the Illinois Restroom Access Act, the first of its kind to be passed in 2005, and nearly identical to the language proposed here in Connecticut, is its inability to be enforced. An Illinois woman with Crohn's disease, referred to us by the Crohn's and Colitis Foundation, was denied access to a bathroom in a retail establishment. Even though the Illinois statute provides for a fine of not more than \$100 per violation, this woman was unable to get any recourse. She went to both the police and the state Health Department, neither of which was aware of the Act, and neither of which took her concerns seriously. In fact, the police refused to hold the establishment accountable because she ultimately found another bathroom. Furthermore, the establishment claimed it did not even know about the law.

The proposed legislation here in Connecticut should build on the Illinois experience. The Act should require that notice be provided to both retailers and law enforcement to

ensure the Act's enforcement. One way to accomplish this would be to state with specificity who will enforce the Act, and provide notice to both the enforcing authority and retailers. The business community and law enforcement officials need to be knowledgeable of the law if it is to be meaningful.

Second, the utility of the Restroom Access Act should extend to places beyond retail establishments, as patients with inflammatory bowel diseases also encounter problems with access to bathrooms at work and school. We far too often hear stories of children who have accidents in school because teachers and school officials do not take their need for a bathroom seriously. Similar stories arise in the workplace. As a result, the Restroom Access Act should not only be applicable to retail establishments, but also to schools and workplaces.

We hope that you will support the Connecticut Restroom Access Act, Proposed Bill No. 5621, and consider our suggestions to ensure that the Act is enforceable and effective. Thank you.